

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION**

IN RE:

CASE NO.: 8:15-BK-02128-CED

ALEKSANDRA GORISLAVETS,

CHAPTER 13

DEBTOR.

---

**SECURED CREDITOR'S OBJECTION TO CONFIRMATION OF CHAPTER 13 PLAN**

Movant, Bank of America, N.A. (the "Movant"), a secured creditor, by and through counsel, pursuant to 11 U.S.C. § 1325, objects to confirmation of the proposed Chapter 13 plan (Doc. No. 4) and states:

1. The Movant holds a note and mortgage secured by property of the estate.
2. The Movant has filed or intends to file a proof of claim showing a total claim of \$239,898.75.
3. A plan can only be confirmed if it meets the requirements of 11 U.S.C. § 1325. If the plan includes a secured claim, which the Movant's claim is, 11 U.S.C. § 1325(a)(5) requires that one of three conditions must be met: (1) the creditor accepts the plan, (2) the creditor retains its lien in the collateral and receives payments under the plan totaling the amount of its allowed claim, or (3) the debtor surrenders the collateral securing the creditor's claim.
4. Here, the proposed plan does not comply with 11 U.S.C. § 1325(a)(5) because the Movant has not accepted the plan, the plan does not surrender the collateral securing the Movant's claim, and the plan does not provide for the Movant to receive payments with a value equal to the allowed amount of its claim.

**WHEREFORE**, the Movant respectfully requests that the Court deny confirmation of the proposed Chapter 13 plan and grant and other relief deemed just and proper.

**CERTIFICATE OF SERVICE**

I CERTIFY that a copy of the foregoing Secured Creditor's Objection to Confirmation of Chapter 13 Plan was served on March 11, 2015 by CM/ECF electronic filing to all registered users in this action and by US Mail to the non-registered user or users listed below.

Respectfully submitted by,

VAN NESS LAW FIRM, PLC  
1239 E. Newport Center Drive, Suite 110  
Deerfield Beach, FL 33442  
Phone (954) 708-2328  
Fax (954) 571-4003

/s/ Michael Gulisano  
Michael Gulisano, Esquire  
Florida Bar No.: 87573  
mgulisano@vanlawfl.com

**MAILING MATRIX**

Aleksandra Gorislavets, 205 Patterson Ave, Osprey, FL 34229